

PROB 12C
(7/93)

**United States District Court
for**

District of New Jersey

Superceding Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jonathan Fullenwider

Cr.:03:028-01

Name of Sentencing Judicial Officer: The Honorable Dickinson R. Debevoise

Date of Original Sentence: 01/14/02

Original Offense: Making False Statements in the Acquisition of Firearms

Original Sentence: 18 Months Imprisonment, 3 Years Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: 12/12/02

Assistant U.S. Attorney: Colleen Middleton, AUSA

Defense Attorney: Lorraine Gauli-Rufo, AFDP

PETITIONING THE COURT

- [X] To issue a warrant
[] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

- | | |
|----|--|
| 1. | The offender has violated the supervision condition which states ' You shall not commit another federal, state, or local crime. ' |
|----|--|

On January 26, 2004, detectives from the Union County, New Jersey Prosecutor's Office, Sex Crimes Unit, advised that Fullenwider has been charged with Sexual Assault Upon a Minor. The warrant charges from September 25, 2003 through September 30, 2003, the offender committed sexual assault upon a minor. On February 2, 2004, Fullenwider was arrested by Detectives of the Union County Prosecutors Office. A \$50,000 bail was imposed. On July 1, 2005, the offender was convicted in a jury trial of Criminal Sexual Assault and Endangering the Welfare of a Minor. Sentencing is pending.

- | | |
|----|---|
| 2. | The offender has violated the supervision condition which states ' You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician. ' |
|----|---|

On June 16, 2003, February 3, 2004, and April 14, 2005, the offender submitted to urinalyses testing, using Verdict II Non-instrumented Drug Testing Devices, which produced positive results for the presence of marijuana. Laboratory testing confirmed these results.

3. The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

On September 30, 2003, Elizabeth Police Department responded to 1219 Fairmont Avenue, Elizabeth, NJ on a report of criminal sexual contact. According to the report, on September 25, 2003, Fullenwider placed his hands upon the chest and genital area of J.H., exposing himself to her requesting that she touch him. Fullenwider is accused of touching J.H.'s chest on September 26, 2003. Police detained Fullenwider and transported him to Trinitas Hospital (Elizabeth, NJ) for cuts sustained on his knees. The victim was medically examined and released. The offender was not arrested at that time. Fullenwider did not inform Probation of this law enforcement contact.


4. The offender has violated the supervision condition which states '**You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.**'

The offender had not obtained verifiable employment since the inception of supervision.

5. The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

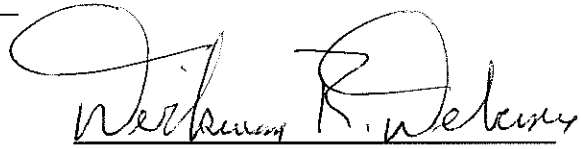
On April 14, 2005, Irvington Police Officers observed a vehicle traveling at a high rate of speed. A check of the license plate tags confirmed it was stolen out of Elizabeth, NJ. Police boxed in the vehicle arresting Jonathan Fullenwider, the driver, and his passenger, Robin Wilson without incident. On June 17, 2005, the offender pled guilty and was sentenced in Special Remand Court to 18 months probation in addition to \$357 total fines and assessments.

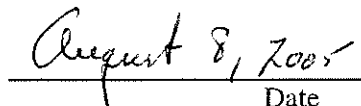
Respectfully submitted,


By: Kimberly M. Artist
U.S. Probation Officer
Date: 07/25/05

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other


Signature of Judicial Officer


Date